


INITIAL REPORTING REQUIREMENTS

Debtor

Case No. 

NOTE: Failure to comply with the United States Trustee's minimum Initial Reporting Requirements may be cause for conversion or dismissal of the case.

	Yes	No
1 UST-2 Collateralization Certificate(s).	<input type="checkbox"/>	<input type="checkbox"/>
2 UST-3 Summary of Insurance.	<input type="checkbox"/>	<input type="checkbox"/>
<p>The debtor shall provide adequate proof of insurance, including, but not limited to, a certificate of insurance for each insurance policy, and a copy of the debtor's contractor's bond, if applicable. <u>An application for insurance is not adequate proof of insurance.</u></p>		
3 Most recent federal income tax return, as required by Local Bankruptcy Rule 2015-2(b).	<input type="checkbox"/>	<input type="checkbox"/>
4 Last two months of bank statements for each estate bank account.	<input type="checkbox"/>	<input type="checkbox"/>
5 Last two years of year-end financial statements (i.e., annual balance sheets and income statements).	<input type="checkbox"/>	<input type="checkbox"/>
<p>Check here <input type="checkbox"/> if financial statements have not been prepared for any recent yearly period.</p>		
6 Most recent monthly financial statements (i.e., monthly balance sheet and income statement).	<input type="checkbox"/>	<input type="checkbox"/>
<p>Check here <input type="checkbox"/> if financial statements have not been prepared for any recent monthly period.</p>		
7 Cash collateral budget.	<input type="checkbox"/>	<input type="checkbox"/>
<p>Check here <input type="checkbox"/> if a cash collateral budget has not been prepared.</p>		

DEBTOR'S CERTIFICATION

I certify under penalty of perjury that the information contained in the debtor's Initial Reporting Requirements are complete, true, and accurate to the best of my knowledge, information, and belief.

Debtor's Signature



Date

The debtor, or trustee, if appointed, must sign this cover sheet accompanying the Initial Reporting Requirements. Only an officer or director has authority to sign the cover sheet for a corporate debtor and only a general partner has authority to sign the cover sheet for a partnership debtor. Debtor's counsel may not sign the Initial Reporting Requirements for the debtor.

UST-2, COLLATERALIZATION CERTIFICATE**11 U.S.C. § 345(b)**

§ 345(b) of the Bankruptcy Code requires a chapter 11 debtor to protect its creditors' interests by depositing bankruptcy funds in a financial institution that will collateralize or bond the debtor's funds in favor of the United States. The financial institution must be approved by the United States Trustee in the district where the bankruptcy case is filed.

To assist a debtor in meeting the requirements of § 345(b), the United States Trustee for the Western District of Washington has executed depository agreements with a number of local and regional banks ("participating banks"). A list of such banks has been enclosed. Each participating bank on the list has agreed to comply with the provisions of § 345(b) and to make regular reports to the United States Trustee. A collateralization certificate, when signed by a participating bank, is the bank's acknowledgment that it will comply with its depository agreement with the United States Trustee for a particular bankruptcy case.

Debtor's Instructions

Within 30 days of filing a bankruptcy petition, the debtor shall submit to the United States Trustee a collateralization certificate from each bank holding the debtor's funds. For each participating bank holding the debtor's funds, have a representative of the bank sign a Collateralization Certificate listing each of the debtor's accounts at that institution. The debtor is responsible for returning the completed Collateralization Certificate to: **Office of the United States Trustee, 600 Park Place Building, 1200 Sixth Avenue, Seattle, WA 98101.**

If the debtor's bank is not a participating bank, the debtor shall either move bankruptcy funds to a participating bank, or request that the bank sign a depository agreement with the United States Trustee. If choosing the latter option, please contact the Bankruptcy Analyst assigned to the debtor's case at (206) 553-2000. The Bankruptcy Analyst will assist the debtor in determining whether the bank is willing to sign a depository agreement.

Depository, please complete the following:

Debtor's Name	
Debtor's Account No(s).	
Bank Name	
Bank Address	
Bank Representative's Name	Title
Bank Representative's Signature	Date
Telephone No. ()	Fax No. ()
I certify that, pursuant to our depository agreement on file with the United States Trustee for the Western District of Washington, the debtor's accounts shown above will be included in our regular reports to the United States Trustee of bankruptcy funds on deposit at this financial institution.	



**U.S. Department of Justice
Office of the United States Trustee
Western District of Washington**

*Park Place Building (206) 553-2000
1200 Sixth Avenue, Suite 600 (206) 553-2566 (fax)
Seattle, WA 98101-3100*

**United States Trustee's List of Authorized Depositories
For Bankruptcy Cases Filed in the Western District of Washington**

As of July 25, 2003

Bank of America
Bank of Clark County
Chase Manhattan Bank
Citibank
Comerica Bank
Cowlitz Bank
First Bank of California
Fleet Bank
Foundation Bank
Frontier Bank
Key Bank of Washington
National Bank of Commerce
Pacific Northwest Bank
Regal Financial Bank
Security State Bank
Skagit State Bank
Sterling Bank
The Commerce Bank of Washington
U.S. Bank
Union Bank of California
Washington First International Bank
Washington State Bank
Wells Fargo Bank
West Coast Bank
WestSound Bank

UST-3, SUMMARY OF INSURANCE

Answer each question:

Yes

No

Does the debtor have any uninsured physical assets? If yes, list the uninsured assets.

☐☐

Does the debtor have a general or commercial liability policy? If no, explain.

☐☐

Does the debtor have a contractor's bond?

☐☐Check here ☐ if the nature of the debtor's business does not require a bond.

Does the debtor have malpractice insurance?

☐☐Check here ☐ if the nature of the debtor's business does not require malpractice insurance.

Summarize the debtor's insurance policies below and attach a copy of each certificate or binder (an application for insurance is not adequate proof of insurance). If applicable, attach a copy of the debtor's bond.

Name of insurance company/ agent's name & address	Type of insurance/ assets covered by policy	Policy number	Effective dates

INTERNAL CONTROL INFORMATION FOR THE SMALL BUSINESS OWNER

ARE YOUR BUSINESS ASSETS VULNERABLE TO THEFT?

The United States Trustee ("UST") encourages every chapter 11 small business owner to think about whether assets essential to the business are protected against theft or fraud. The potential for employee dishonesty, the most common type of business theft, increases when one or more employees have too much control over cash or other vulnerable assets concurrently with control over accounting functions. By implementing basic internal controls and maintaining strong personal oversight of the accounting functions, the small business owner can minimize the opportunities for an employee theft to occur. Consider these examples of internal controls:

SEGREGATION OF DUTIES -- Related duties should be assigned to different people whenever possible.

- Know your employees. Employee theft occurs when you provide the opportunity and an employee has a personal situation that lends itself to committing a crime. Always check work references and when feasible conduct background checks.
- When one or two employees perform most of the accounting functions, actively supervise the employees and spot check your accounting records on a frequent basis.
- If staffing levels permit, segregate these accounting functions:
 - Receiving cash and checks *versus* recording receipts in the accounting records.
 - Receiving inventory *versus* ordering or paying for inventory.

BANK RECONCILIATIONS -- Receive bank statements unopened and scrutinize for unusual activity.

- Carefully scan bank statements after opening and question any unusual transactions.
- Review canceled checks each month, including payee endorsements on the reverse side.
- Reconcile bank statements timely each month.
- Review reconciliations prepared by employees, particularly the list of reconciling items.
- Review transfers between bank accounts.

RECEIPTS & OTHER ASSETS -- Safeguard valuable assets.

- Immediately record and restrictively endorse incoming checks.
- Make daily (or more frequent) deposits of checks and cash.
- Secure blank check stock.
- Maintain accurate inventory records.
- Backup computer records regularly and store at least one recent backup off-site.
- Restrict access to sensitive customer information.
- Change computer passwords regularly, particularly after terminating someone's employment.

DISBURSEMENTS -- Review the appropriateness of payments.

- Restrict signature authority on company bank accounts, especially for employees writing checks.
- Compare payroll checks with current employee records.
- Verify the name of each vendor paid.
- Track the number of credit card bills signed each month.
- Verify the account number when signing a check made payable to a credit card company.

BANKRUPTCY RELATED -- Verify payment of *post-petition* taxes.

- Verify that tax reports are timely filed and that payments for *post-petition* taxes are timely made and *received* by the appropriate taxing agencies. (Note: Failure to pay post-petition taxes while in chapter 11 may be cause for conversion or dismissal of the case.)

Note: For counsel's convenience, this form may be returned via our fax number at **206-553-2566**.

**OFFICE OF THE UNITED STATES TRUSTEE
WESTERN DISTRICT OF WASHINGTON**

**Authorization for Direct Contact with Debtor
Regarding Administrative Matters**

In re:

Case Number:

Part I: Purpose

The United States Trustee ("UST") is responsible for supervising the administration of cases under Chapters 7, 11, 12, and 13 of the United States Bankruptcy Code. 28 U.S.C. §586. To fulfill this responsibility in Chapter 11 cases, the UST has issued Chapter 11 Guidelines and financial reporting requirements. The Guidelines impose certain administrative and financial requirements on a Chapter 11 debtor. There are other requirements imposed by law, including a requirement to pay UST quarterly fees. The UST staff is available to assist a debtor fulfill these requirements. In addition, it is frequently necessary for UST staff to contact a debtor concerning missing documents, incomplete forms, and other administrative matters. Many debtors and attorneys prefer that the debtor handle these administrative matters directly with the UST staff. Others prefer that all such contacts be made through counsel. We need to know how you and your client would like these matters to be handled. If the UST files or has a contested motion or an adversary proceeding against a debtor, all contact regarding that matter will be with counsel. The authorization may be rescinded at any time by giving us written notice of rescission.

Part II: Direction (select one)

☐ I authorize the UST staff to contact the Debtor(s) directly concerning administrative matters, including, but not limited to, completion of monthly operating reports, insurance coverage, banking arrangements, quarterly fees, and post-confirmation reports. If a business is being operated, this authorization extends to key employees or other professionals employed by the Debtor(s).

☐ I direct that all contact between the Debtor(s) and the UST staff concerning this case, including all administrative matters, be conducted through counsel for the Debtor(s).

Date: _____

Attorney for Debtor(s)

SERVING THE UNITED STATES TRUSTEE WITH EX PARTE APPLICATIONS TO EMPLOY PROFESSIONALS

The United States Trustee ("UST") is a party in interest in this chapter 11 bankruptcy case.^{1/} The debtor is required to transmit to the UST copies of all pleadings, applications, motions, objections, complaints, or similar papers that the debtor files with the court.^{2/}

Local Rule 2014-1(b) for the Western District of Washington permits the debtor to file *ex parte* applications for employment of professionals with the court, provided the debtor first gives the UST no less than two (2) days notice **before filing the application with the court**:

Local Rule 2014-1(b) *Ex Parte* Applications. Professionals seeking appointment on an *ex parte* basis shall, prior to submitting the application for approval to the court (1) obtain the written endorsement of the United States Trustee's office of the application, or (2) certify that at least two days have passed since the application was served upon and received by the United States Trustee's office, and no objection has been made by the United States Trustee's office to the application.

DO NOT FILE *EX PARTE* APPLICATIONS FOR EMPLOYMENT OF PROFESSIONALS WITH THE COURT, BY ELECTRONIC CASE FILING (ECF), OR ANY OTHER MEANS, UNLESS YOU HAVE FIRST OBTAINED THE UST'S ENDORSEMENT OR CERTIFY TO THE COURT THAT AT LEAST TWO DAYS HAVE PASSED SINCE THE APPLICATION WAS SERVED UPON AND RECEIVED BY THE UST'S OFFICE, AND NO OBJECTION HAS BEEN MADE BY THE UST TO THE APPLICATION.

Service upon the UST of *ex parte* applications for employment of professionals may be made by regular mail, hand delivery, facsimile, or e-mail:

Mail or Hand Delivery:	Office of the United States Trustee Park Place Building 1200 Sixth Avenue, Suite 600 Seattle, WA 98101-3100
Facsimile:	(206) 553-2566
E-Mail:	<u>ustpreion18.se.ecf@usdoj.gov</u>

^{1/}11 U.S.C. § 307

^{2/}Bankruptcy Rules 2002(k), 2014(a), 5005(b), and 9034

****NOTICE****

Proof of ID and Social Security Number

Beginning with cases filed on March 1, 2002, the United States Trustee will require bankruptcy debtors to provide, at the meeting of creditors, satisfactory proof of identity and proof of social security number. Debtors will need to bring both picture ID and proof of social security number to the meeting.

Acceptable proof is listed below.

*** ORIGINAL DOCUMENTS ARE REQUIRED ***

A. Picture ID:

- 1) state driver's license
- 2) government ID
- 3) state ID
- 4) student ID
- 5) U.S. passport
- 6) military ID
- 7) resident alien card
- 8) Mexican consulate card ("matricula consular")

B. Proof of SSN:

- 1) social security card
- 2) medical insurance card
- 3) pay stub
- 4) W-2 form
- 5) Internal Revenue Service Form 1099
- 6) Social Security Administration report

For more information, visit our website at: www.usdoj.gov/ust/r18/s_home.htm